

# United States Senate

WASHINGTON, DC 20510

March 4, 2011

0306

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th St, SW  
Washington, D.C. 20554

Dear Chairman Genachowski:

We would like to offer the following comments to the Federal Communications Commission (FCC) regarding in-state broadcasts, required under Section 304 of the Satellite Television Extension and Localism Act of 2010. Garrett County in Western Maryland is one of the many 'orphan counties' in our nation whose residents are affected by the disparities between state boundaries and designated market areas, and thus are unable to receive commercial in-state broadcasts.

This issue was first brought to our attention by Garrett County residents and local elected officials who are understandably upset because of their longstanding lack of television access to the news, politics, sports, cultural events, and emergency notifications pertaining to their own state. We support their view and are committed to securing access to Maryland-licensed broadcasting for Garrett County. As citizens of Maryland, it is appropriate that the residents of Garrett County enjoy appropriate access to the programming carried by Maryland-based stations.

We urge the FCC to take action to address the situation currently affecting the people of Garrett County. We consider it a form of disenfranchisement that the residents of Garrett County find themselves better informed about the laws, issues, and candidates of Pennsylvania than those in Maryland. The upcoming report on in-state broadcast programming offers the FCC an opportunity to put forth a common-sense solution for addressing this problem, not only for our constituents in Garrett County but for residents in many counties across the country experiencing a similar disconnection from their home state.

Therefore, we strongly hope the FCC to use the upcoming report as the first positive step towards fixing an important problem. Thank you for the opportunity to extend our comments regarding this report. We look forward to working with the Commission to reach a favorable resolution.

Sincerely,



Benjamin L. Cardin  
United States Senator



Barbara A. Mikulski  
United States Senator



# FEDERAL COMMUNICATIONS COMMISSION

April 26, 2011

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Benjamin L. Cardin  
United States Senate  
509 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Cardin:

Thank you for your comments in the Commission's proceedings to implement the Satellite Television Extension and Localism Act of 2010 (STELA). I understand your concern that some satellite television consumers in Garrett County may not have access to programming that originates from broadcast television stations licensed to communities in Maryland.

Federal law currently requires that satellite television carriers use the Designated Market Area (DMA) as defined by the Nielsen Company to determine which television stations to include in their local programming packages. In passing STELA, however, Congress recognized that this approach may disadvantage viewers like those in Garrett County. STELA therefore directs the Commission to prepare a report that, among other things, examines whether there are alternatives to the use of Nielsen DMAs. Pursuant to the statute, the Commission issued a *Public Notice* on November 23, 2010, seeking information for this report and the comment period recently closed. The law requires the Commission to submit its findings to Congress in August 2011. I am enclosing a copy of the *Public Notice* for your information; your letter has been included in the record of this proceeding.

I appreciate your interest in this important matter. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,



Julius Genachowski

Enclosure



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April 26, 2011

JULIUS GENACHOWSKI  
CHAIRMAN

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United States Senate  
503 Hart Senate Office Building  
Washington, D.C. 20510

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Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over the printed name.

Julius Genachowski

Enclosure